

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69-cv-07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Village of Chama

Subfile No. CHCV-001-0008

MOTION TO VACATE CONSENT ORDER

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and moves the Court to vacate the Consent Order filed February 23, 2004 (Doc. 7413) in connection with defendant Roxanne M. Gonzales and subfile CHCV-001-0008 and as grounds therefore Plaintiff states as follows:

1. Defendant Roxanne M. Gonzales signed and approved a Consent Order in subfile CHCV-001-0008 that was filed with the Court on February 23, 2004. Ms. Gonzales was not the owner of significant portions of the irrigated lands mapped by the State in this subfile at the time she signed and approved the Consent Order filed with the Court. Since that time, she has sold her interest in the lands that she did own that were included in this subfile. The State has been in contact with other interested parties to correct these errors, and to enter orders with the Court that will map and record the irrigated lands in this subfile in the names of the correct and current owners.

WHEREFORE, the Plaintiff State of New Mexico requests the Court to vacate the Consent Order filed February 23, 2004 (Doc. 7413) in subfile CHCV-001-0008.

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25th day of March, 2009 I filed the foregoing electronically through the CM/ECF system and served the following non-CM/ECF Participant in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Roxanne M. Gonzales
832 Reid Ave.
Grants, NM 87020

/s/ Ed Newville

Edward G. Newville